



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SHANKS *et. al.*

Application No.: 10/072,984

Filed: February 12, 2002

For: **Radio Frequency Identification
Architecture**

Confirmation No.: 3525

Art Unit: 2636

Examiner: Trieu, Van Thanh

Atty. Docket: 1689.0240000

Request for Refund

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that \$725.00 be credited to our Deposit Account No. 19-0036. It is asserted that credit for the following is due:

\$725.00 for excess claims fee.

Credit is due for the following reasons:

On March 18, 2005, Applicants filed a Supplemental Amendment and Information Disclosure Statement in the present application. The Supplemental Amendment attempted to add new claims 29-45. Unfortunately, a Notice of Allowance was mailed on January 14, 2005, but Applicants only became aware of the Notice of Allowance on March 23, 2005. The undersigned is still investigating why the Notice of Allowance was not received. In any event, the Supplemental Amendment and Information Disclosure Statement were filed after the mailing date of the Notice of Allowance. In light of this, Applicants requested that the Supplemental Amendment not be entered in the present application. Furthermore Applicants filed a revised amendment on April 1, 2005, co-filed with a Request for Continued Examination, only adding new

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claims 29-32. Thus, Applicants previously overpaid claim fees when they paid for new claims 29-45, when only new claims 29-32 were ultimately filed in the present application. Therefore, Applicants are requesting a refund for the over payment of claim fees.

The present application was originally filed with 20 total claims, including 5 independent claims, which were paid for on the filing date of February 12, 2002. With the Supplemental Amendment filed March 10, 2005, Applicants paid for 14 additional claims over 20 (\$350.00), including 4 additional independent claims (\$400.00), for a total of \$750.00. With the revised amendment filed April 1, 2005, one additional claim over 20 was added (not paid for). Thus, Applicants should be refunded payment for 13 additional claims (\$325.00) and 4 independent claims (\$400.00) for a total of \$725.00.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey S. Weaver
Attorney for Applicants
Registration No. 45,608

Date: April 21, 2005

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PTO/SB/30 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

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**Request
for
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/072,984
Filing Date	February 12, 2002
First Named Inventor	Wayne E. SHANKS
Art Unit	2636
Examiner Name	Trieu, Van Thanh
Attorney Docket Number	1689.0240000

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0036. I have enclosed a duplicate copy of this sheet.

- i. ☒ RCE fee required under 37 CFR 1.17(e) **04/04/2005 SZEWDIE1 00000030 10072984**
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) **01 FC:1801 790.00 DP**
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	April 1, 2005
Name (Print/Type)	Jeffrey S. Weaver	Registration No.	45,608

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	_____	Date	_____
Name (Print/Type)	_____		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Adjustment date: 06/28/2005 SDIRETA1
04/04/2005 SZEWDIE1 00000030 10072984
01 FC:1801 -790.00 DP

382,089

06/28/2005 SDIRETA1 00000031 10072984
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*Admitted only in Maryland
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October 19, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2636

Re: U.S. Utility Patent Application
Appl. No. 10/072,984; Filed: February 12, 2002
For: Radio Frequency Identification Architecture
Inventors: SHANKS *et al.*
Our Ref: 1689.0240000

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal Form (PTO/SB/17);
2. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1);
3. Amendment and Reply Under 37 C.F.R. § 1.111;
4. One (1) return postcard;
5. Credit Card Payment Form (PTO-2038) in the amount of \$980.00 to cover the Petition for Extension of Time fee.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Adjustment date: 06/28/2005 SDIRETA1
10/20/2004 RFEKADUI 00000056 10072984
01 FC:1253 -980.00 OP

06/28/2005 SDIRETA1 00000030 10072984

01 FC:2253 490.00 OP

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